

BOARD FOR CONTRACTORS BOARD MEETING

MINUTES

The Board for Contractors met on Tuesday, April 24, 2007 at the Department of Professional and Occupational Regulation (DPOR), 3600 West Broad Street, Richmond, Virginia. The members indicated below were present. Each of the other members present was qualified to vote, except where a specific reason for disqualification is stated. There are 13 members on this board, in which seven constitutes a quorum pursuant to §54.1-1102.

Anthony Orange, Co Chair
Mark Kinser, Chairman
Troy Smith
Robert M Kirby
Ann Rackas Pate
Dorothy Wood
Deborah Tomlin
Michael Redifer
Jeffrey Modisett
Wyatt Walton

Board Member absent from the meeting was: Mark Cronin, Ken Hart and Jack Miller.

Staff members present for all or part of the meeting were:

Jay W. DeBoer, Director
David Ashe, Chief Deputy
Eric L. Olson, Executive Director
Karen O'Neal, Deputy Director, LRD
Steven Jack, Assistant Attorney General
Kevin Hoeft, Regulatory Boards Administrator
Karen Kenney, Administrative Assistant
Sheila Watkins, Administrative Assistant
Joe Haughwout, Legal Assistant
Earlyne Perkins, Legal Analyst
Victoria Traylor, Legal Analyst
Nick Christner, Deputy Director, CID
Bonnie Rhea Adams, Asst. Director, CAR
Jennifer Kazzie, Asst. Director, Adjudication
Janet Creamer, Asst. Director, Investigations
Sheon Rose, Asst. Director, Investigations
Kimberly Robinson, Legal Assistant

Chairman Mark Kinser called the meeting to order at 9:07 a.m. and declared a Quorum of board members was in attendance.

**Call
To Order**

A motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to approve the agenda as written. The motion passed unanimously. Members voting “Yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

**Approval of
the Agenda**

Miller, Cronin and Hart were absent.

Ms. Wood moved to approve the following minutes as submitted from the:

**Approval of
Minutes**

March 27, 2007, Board for Contractor Meeting
March 1, 2007 Informal Fact Finding Conference
March 6, 2007 Informal Fact Finding Conference
March 7, 2007 Informal Fact Finding Conference
March 8, 2007 Informal Fact Finding Conference
March 13, 2007 Informal Fact Finding Conference
March 20, 2007 Informal Fact Finding Conference

Mr. Smith seconded the motion and it was unanimously approved by members: Members voting “Yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

Mark Stemniski addressed the Board regarding suggested changes to the application that he made a couple of months ago. Mr. Stemniski was the Designated Employee of a firm that he believes used his name improperly in obtaining a license and would like changes to the application and application process. He indicated he would summarize his comments in writing and forward to Eric Olson, Executive Director of the Board for Contractors.

**Public
Comment
Period**

In the matter of deny License Application File Number 2007-03219, Gregory Scott Nodler t/a Pink Panther Handyman & Home Improvement Service the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03219
**Gregory
Scott Nodler
t/a Pink
Panther
Handyman
Home
Improvement****

Applicant Gregory Scott Nodler appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03280, Steven Newlove the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03280
Steven
Newlove**

Applicant Steven Newlove appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Modisett** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue the license.

The motion was approved by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03307, Gary Galyen t/a Galyen Floors, the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03307
Gary Galyen
t/a Galyen
Floors**

Applicant Gary Galyen and his father Roger Galyen appeared at the IFF and the Board meeting. They both addressed the Board and shared their disagreement with the recommendation for denial of license. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Wood** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion was approved by majority vote of 6 "yes" and 4 "no". Members voting "Yes" were: **Wood, Kirby, Orange, Redifer, Tomlin and Rackas Pate.**

Walton, Smith, Kinser and Modisett voted "No."

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03221, Shaun Tyson t/a S & T Contracting the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03221
Shaun Tyson
t/a S & T
Contracting**

Applicant Shaun Tyson appeared at the IFF. He did not attend the Board meeting. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Ms. Tomlin** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by a unanimous vote. Members voting “yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

In the matter of Disciplinary File Number 2007-03404, Timothy Gatling t/a Tim’s Quality Construction & Restoration (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Timothy Gatling (Respondent)** appeared at the IFF and the Board meeting.

**File Number
2007-03404
Timothy
Gatling t/a
Tim’s
Quality
Construct-
ion &
Restoration**

As the Board Representative, **Ms. Chappell** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Timothy N Gatling**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B.2	

The motion was approved unanimously. Members voting “Yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B.2	\$1,000.00
Total		\$1,000.00

The motion was approved unanimously. Members voting “Yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03403, Timothy Gatling t/a Tim’s Quality construction & Restoration the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03403
Timothy
Gatling t/a
Tim’s
Quality
Construct-
ion &
Restoration**

Applicant Timothy Gatling appeared at the IFF and the Board meeting. He addressed the Board. He shared his disagreement with the recommendation to deny license. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and deny the license.

The motion failed with a vote of 8 “no” and 2 “yes”. Members voting “Yes” were: **Rackas Pate and Kirby.**

Members voting “no” were: Kinser, Smith, Tomlin, Walton, Redifer, Modisett, Orange, and Wood.

Hart, Cronin and Miller were absent.

After further discussion a motion was made by **Mr. Walton** and seconded by **Ms. Tomlin** to amend the recommendation contained in the Summary of the Informal Fact-Finding Conference and issue a conditional Class B licenser with a 1 year agreement that at the end of that term the applicant may then apply for a Class A license if no negative issues are attached to the Class B. The motion passed with a majority vote of 8 “yes” and 2 “no”. Members voting “yes” were: **Wood, Modisett, Orange, Smith, Kinser, Redifer, Walton and Tomlin.**

Members voting “no” were: Kirby and Rackas Pate.

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03474, Robert Mapson, Jr. t/a R & R Renovations the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**File Number
2007-03474
Robert
Mapson, Jr.
t/a R & R
Renovations**

Applicant Robert Mapson, Jr. t/a R & R Renovations appeared at the IFF and the Board meeting. He addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to accept the recommendation contained in the Summary of the Informal Fact-Finding Conference and approve the license.

The motion was approved by unanimous vote. Members voting “Yes” were: **Wood, Kirby, Modisett, Orange, Smith, Kinser, Redifer, Walton, Tomlin and Rackas Pate.**

Miller, Cronin and Hart were absent.

In the matter of License Application File Number 2007-03475, Construction Marketing & Management Solutions, Inc., the Board members reviewed the record, which consisted of the application file, transcript, exhibits, and Summary of the Informal Fact-Finding Conference.

**2007-03475
Construct-
ion
Marketing &
Manage-
ment
Solutions,
Inc.**

Applicant Wayne Alfonso Shorter, t/a Construction Marketing & Management Solutions, Inc. participated at the IFF. He attended the Board meeting and addressed the Board. The presiding Board representative **Ms. Chappell** was not present, did not participate in the discussion and did not vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to amend the recommendation to grant the license as a 6 month conditional license and require the applicant to complete the board approved Basic and Advanced licensing class.

The motion was approved with a “yes” vote of 8 and a “no” vote of 2. Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin and Rackas Pate.** Members voting “no” were: **Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2005-02067, John & Lili May Boone (Claimant) vs. W. E. Harris Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **W. E.**

**File Number
2005-02067
John & Lili
May**

Harris Construction, Inc (Regulant) did not appear at the board meeting. **Charles Adams, counsel for the Boones (Claimants)** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$13,022.80. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Modisett, Kirby, Redifer, Tomlin and Rackas Pate.**

Kinser and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01381, Argene Denning (Claimant) vs. Lynn Contracting t/a Lynn Plumbing (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Lynn Contracting t/a Lynn Plumbing (Regulant)** did not appear at the board meeting. **Scott Crowley, counsel for Argene Denning (Claimants)** appeared at the board meeting and shared his client's agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Kirby, Cronin, Orange, Smith, Hart, Miller Redifer, Walton, Tomlin and Rackas Pate.**

Kinser and Modisett were absent.

In the matter of Recovery Fund File Number 2006-01861, Edmund & Lucy Russell (Claimant) vs. Randall Scott Roofing, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Randall Scott Roofing, Inc. (Regulant)** did not appear at the board meeting. **Lucy Russell (Claimants)** appeared at the board meeting and shared her agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Smith** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$3,369.96. The motion passed by unanimous vote.

**Vs
W. E. Harris
Construct-
ion, Inc.**

**File Number
2006-01381
Lynn
Contracting
t/a Lynn
Plumbing**

**File Number
2006-01861
Randall Scott
Roofing, Inc.**

Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-01908, Victoria Jaric (Claimant) vs. Claude Nethery t/a Richmond Renovating (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Claude Nethery t/a Richmond Renovating (Regulant)** did not appear at the board meeting. **Victoria Jaric (Claimants)** did not appear at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mrs. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$9,549.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-01908
Claude
Nethery t/a
Richmond
Renovating

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-01954 – Prima Facie, Jonathan (Claimant) vs. Wiltshire Inc t/a The Greener Side (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Jonathan Stiehm (Regulant)** did not appear at the board meeting. **Jonathan Stiehm (Claimants)** appeared at the board meeting. He addressed the Board and shared his agreement. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$12,383.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-01954
Jonathan
Stiehm vs
Wiltshire Inc
t/a The
Greener Side

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-0956, Litonji Thornton (Claimant) vs. Atlantic, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Atlantic concrete, Inc (Regulant)** did not appear at the board meeting. **Litonji Thornton (Claimants)** appeared at the board meeting and shared her agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr.**

File Number
2006-01956
Litonji
Thornton vs
Atlantic
Concrete, Inc

Redifer to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$2,350.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-01961, James Sale (Claimant) vs. Daniel Jamison (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Daniel Jamison (Regulant)** did not appear at the board meeting. **James Sale Claimants)** appeared at the board meeting and shared his agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$9,846.75. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-01961
James Sale vs
Daniel
Jamison

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-01976- Prima Facie, Khang Nguyen (Claimant) vs. Global Contracting, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Global Contracting, Inc. (Regulant)** did not appear at the board meeting. **Khang Nguyen (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$6,350.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-01976
Khang
Nguyen
Vs
Global
Contracting,
Inc

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-02408, Prima Facie, Nathan Chandley (Claimant) vs. Virginia Pool Builders, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Virginia Pool Builders, Inc. (Regulant)** did not appear at the board meeting. **Nathan Chandley (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$2,401.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange,**

File Number
2006-02048
Nathan
Chandley
Vs
Virginia Pool
Builders, Inc

Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-03076- Prima Facie, William & Alyson Sorensen (Claimant) vs. Virginia Ruger t/a Iron Horse Construction Co. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Virginia Ruger (Regulant)** did not appear at the board meeting. **William & Alyson Sorensen (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$4,812.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-03076
William &
Alyson
Sorensen
Vs
Virginia
Ruger t/a
Iron Horse
Construct-
ion Co.

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-03558- Prima Facie, Carl & Diane James (Claimant) vs. Dove's Homes, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Dove's Homes, Inc. (Regulant)** did not appear at the board meeting. **Carl James (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Walton** to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-03558
Carl & Diane
James
Vs
Dove's
Homes, Inc

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04091-, Prima Facie, John & Bonnie Fairbank (Claimant) vs. Gretchen Henninger, t/a Home Design Concrete (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Global Contracting, Inc. (Regulant)** did not appear at the board meeting. **John Fairbank (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the claim review and approve the claim for payment in the amount of \$4,874.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-04091
John &
Bonnie
Fairbank vs
Gretchen
Henninger
t/a Home
Design
Concrete

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04337- Prima Facie, Shirley Matula (Claimant) vs. Virginia Vandyke t/a V & M Enterprises (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Virginia Vandyke (Regulant)** did not appear at the board meeting. **Shirley Matula (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Tomlin** to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-04337
Shirley
Matula
Vs
Virginia
Vandyke t/a
V & M
Enterprises

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04594, Peter & Linda Kapuscinski (Claimant) vs. W. David Llewellyn, Sr. t/a Accent Masonry (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **W. David Llewellyn, Sr. (Regulant)** did not appear at the board meeting. **Linda Kapuscinski (Claimants)** appeared at the board meeting and shared their agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$8,383.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-04594
Peter &
Linda
Kapuscinski
Vs
W. David
Llewellyn,
Sr. t/a Accent
Masonry

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04596, Janie Ferrell (Claimant) vs. Derick Williams t/a Sierra Builders (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Derick Williams t/a Sierra Builders (Regulant)** did not appear at the board meeting. **Janie Ferrell Claimants)** appeared at the board meeting and shared her agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Modisett** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for

File Number
2006-04596
Janie Ferrell
vs
Derick
Williams t/a
Sierra
Builders

payment in the amount of \$10,628.37. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04787- Prima Facie, Vera Smith (Claimant) vs. American Investments Real Estate Corporation t/a Kibra Construction (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **American Investments Real Estate Corporation t/a Kibra Construction (Regulant)** did not appear at the board meeting. **Vera Smith (Claimant)** appeared at the board meeting. After discussion, a motion was made by **Mrs. Redifer** and seconded by **Mr. Smith** to adopt the claim review and approve the claim for payment in the amount of \$3,816.58. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-04787
Vera Smith
Vs
American
Investments
Real Estate
Corporation
t/a Kibra
Construct-
ion

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04794, Dennis & Patricia Hall (Claimant) vs. Timothy Powell (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Dennis & Patricia Hall (Regulant)** did not appear at the board meeting. J. Patrick Keith council for **Dennis & Patricia Hall Claimants**) appeared at the board meeting and shared his client's agreement with the recommendation. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to adopt the claim review and the hearing officer's recommendations and summary for violations and approve the claim for payment in the amount of \$5,628.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-04794
Dennis &
Patricia Hall
Vs
Timothy
Powell

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04795, Michael & Margaret Cibulsky (Claimant) vs. Douglas & Connie Hicks t/a D & K Custom Designs (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **Douglas & Connie Hicks t/a D & K Custom Designs (Regulant)** did not appear at the board meeting. **Steven E**

File Number
2006-04795
Michael &
Margaret
Cibulsky
Vs

Dunn, counsel for the Cibulsky's (Claimants) appeared at the board meeting and addressed the board. The Cibulsky's would like the Board to approve a \$20,000.00 amount to cover expensed paid by them. Going back to court would cost them additional money. Steven Jack, counsel for the Board stated "The Board must follow statue for the Recovery Fund Claim process. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$15,038.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**Connie Hicks
t/a D & K
Custom
Designs**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-04953-, Prima Facie, Joanne Cashwell (Claimant) vs. W. E. Harris Construction, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **W. E. Harris Construction, Inc. (Regulant)** did not appear at the board meeting. **Joanne Cashwell Claimant** did not appear at the board meeting. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$5,038.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**File Number
2006-04953
Joanne
Cashwell
vs.
W. E. Harris
Construct-
ion, Inc**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-05056- Prima Facie, Robert & Mary Aceituno (Claimant) vs. Global Contracting, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **By Design Home Improvement, Inc. t/a Perfect Solution (Regulant)** did not appear at the board meeting. **Robert & Mary Aceituno (Claimants)** appeared at the board meeting. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$11,154.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**File Number
2006-05056
Robert &
Mary
Aceituno
vs.
By Design
Home
Improve-
ment, Inc. t/a
Perfect
Solution
Contractor**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2006-05275- Prima Facie, Rita Schaefer (Claimant) vs. Kim & Teams, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Kim & Teams, Inc. (Regulant)** did not appear at the board meeting. **Rita Schaefer (Claimant)** did not appear at the board meeting. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Orange** to pay the claim in the amount of \$20,000.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2006-05275
Rita Shaefer
vs.
Kim &
Teams, Inc.

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2007-00297-, Prima Facie, J. L. Parker (Claimant) vs. Triumph Construction Co (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Andrew Thomas t/a Triumph Construction Co. (Regulant)** did not appear at the board meeting. **William Young, counsel for Andrew Thomas t/a Triumph Construction Co (Claimant)** appeared at the board meeting. **He addressed the Board on his client's behalf.** After discussion, a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Kirby** to adopt the claim review and approve the claim for payment in the amount of \$16,625.52. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2007-00297
J. L. Parker
vs. Andrew
Thomas t/a
Triumph
Construct-
ion Co.

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2007-01417, George Carter (Claimant) vs. By Design Home Improvement Inc. t/a Perfect Solution Contractor (Regulant); the board reviewed the record, which consisted of the claim file, transcript and exhibits from the IFF, and the summary and recommendation. **By Design Home Improvement Inc. t/a Perfect Solution Contractor (Regulant)** did not appear at the board meeting. **George Carter (Claimants)** did not appear at the board meeting. **Mr. Hollar**, the Board's Hearing Representative was not present and did not participate during the discussion or the vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Smith** to adopt the claim review and the hearing officer's recommendations and summary for violations and approved the claim for payment in the amount of \$20,000.00. The motion passed by unanimous vote. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

File Number
2007-01417
George
Carter
vs. By
Design Home
Improve-
ment Inc. t/a
Perfect
Solution
Contractor

Hart, Miller and Cronin were absent.

Karen O’Neal, Deputy Director of LRD, shared with the Board that she was very pleased to introduce a member of the Real Estate Board, Byrl Taylor. She was observing the works of the Board for Contractors.

**Karen
O’Neal**

In the matter of Recovery Fund File Number 2007-02528- Prima Facie, Frank Maggio (Claimant) vs. Preferred Homes, Inc. (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Preferred Homes, Inc. (Regulant)** did not appear at the board meeting. **Lewis Harrison, counsel for Frank Maggio (Claimant)** appeared at the board meeting. He addressed the Board on behalf of his client. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Orange** to adopt the claim review and approve the claim for payment in the amount of \$20,000.00. The motion was approved unanimously. Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**File Number
2007-02528
Frank
Maggio
vs
Preferred
Homes, Inc.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2007-03327, Prima Facie, Allen Gibbs (Claimant) vs. LAPCO Inc. t/a Shoreline Pool Builders (Regulant); the board reviewed the record, which consisted of the claim file, the summary and recommendation. **Global Contracting, Inc. (Regulant)** did not appear at the board meeting. **Vicky Gibbs (Claimant)** appeared at the board meeting. She addressed the Board. After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$15, 430.00. The motion was approved unanimously. Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**File Number
2007-03327
Allen Gibbs
Vs
LAPCO Inc.
t/a Shoreline
Pool Builders**

Hart, Miller and Cronin were absent.

At 10:10 am the Board recessed and reconvened at 10:30 am.

**Recess and
Reconvene
Resolution**

Mark Kinser, Chair of the Board for Contractors read the following Resolution:

Department of Professional and Occupational Regulation

Board for Contractors Resolution

Cynthia J. Chisholm

WHEREAS, Cynthia J. Chisholm has faithfully and diligently served as the Office Manager of the Board for Contractors in the Department of Professional and Occupational Regulation from 1999 through 2007; and

WHEREAS, Cynthia J. Chisholm discharged her duties with excellence and expertise to protect the health, safety and well-being of the public; and

WHEREAS, Cynthia J. Chisholm led the Board's licensing staff by example, in setting and attaining high standards in the areas of customer service, teamwork, resource management, and in promoting a quality work culture; and

WHEREAS, Cynthia J. Chisholm managed the Board's office wisely, ensuring that the Board's licensing staff communicated courteously, professionally and judiciously with applicants, regulants, and the citizens of the Commonwealth; and

WHEREAS, the Board for Contractors wishes to acknowledge its gratitude and deepest appreciation for devoted service by Cynthia J. Chisholm, who is held in high esteem by the members of the Board, her fellow employees, and the citizens of the Commonwealth.

NOW, THEREFORE, BE IT RESOLVED, by the Board for Contractors this twenty-fourth day of April, in the year two-thousand and seven, that Cynthia J. Chisholm be given all honors and respect due for her outstanding service to the Commonwealth, its citizens, the Department of Professional and Occupational Regulation, and the Board for Contractors; and

BE IT FURTHER RESOLVED, that this Resolution be presented to her and be made a part of the official minutes of the Board so that all may know of the high regard in which she is held.

The entire Board gave Ms. Chisholm a standing ovation.

Mr. Orange offered a motion seconded by **Ms. Rackas Pate** to adopt the Resolution and have it be a part of the Board's records. **The motion passed unanimously. Members voting "yes" were: Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Recovery Fund File Number 2007-03327- Prima Facie, Allen Gibbs (Claimant) vs. LAPCO Inc. t/a Shoreline Pool Builders (Regulant); the board reviewed the record, which consisted of the claim file,

**File Number
2007-03327
Allen Gibbs**

the summary and recommendation. **LAPCO, Inc. t/a Shoreline Pool Builders (Regulant)** did not appear at the board meeting. **Vicky Gibbs (Claimant)** appeared at the board meeting. **She addressed the Board.** After discussion, a motion was made by **Ms. Wood** and seconded by **Mr. Redifer** to adopt the claim review and approve the claim for payment in the amount of \$15, 043.00. The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

vs
LAPCO Inc.
Shoreline
Pool Builders

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-00532, Anthony Ennis t/a Reliable Enterprises (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Anthony Ennis, t/a Reliable Enterprises (Respondent)** nor anyone on his behalf appeared at the IFF. Anthony Ennis attended the Board meeting and addressed the Board.

File Number
2006-00532
Anthony
Ennis t/a
Reliable
Enterprises

As the Board Representatives, **Mr. Hart and Ms. Wall** were not present and did not vote. After discussion, a motion was made by **Mr. Modisett** and seconded by **Mr. Smith** to remand this case back to an Informal Fact Finding Conference.

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2005-03114, Y W Rhee, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Y W Rhee, Inc. (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. David and Alice Williams (**Complainants**) **did not** attend the IFF or the Board meeting.

File Number
2005-03114
Y W Rhee,
Inc.

As the Board Representative, **Mr. Kinser and Ms. Wall** were not present and did not vote. Mr. Orange chaired this case. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Wood** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Y W Rhee Inc.,** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.27	
Count 2:	18 VAC 50-22-260.B.6	
Count 3:	18 VAC 50-22-260.B.5	

The motion was approved unanimously. Members voting "Yes" were:
Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B.27	\$700.00
Count 2:	18 VAC 50-22-260.B.6	\$8500.00
Count 3:	18 VAC 50-22-260.B.5	\$1,400.00
Total		\$2,900.00
The Board imposed revocation of license 2705-086545 for the violation of Count 1,2 and 3.		

The motion was approved unanimously. Members voting "Yes" were:
Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-02857, Paul Pryor t/a High Point Improvements (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Paul V Pryor t/a High Point Improvements (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting.

File Number
2006-02857
Paul Pryor
t/a High
Point
Improve-
ments

As the Board Representatives, **Mr. Kinser and Ms. Wall** were not present and did not vote. Mr. Orange chaired this case. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Paul V Pryor.,** violated the following sections of its Regulations:

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Effective January 1, 2003		
Count 1:	18 VAC 50-22-230.A.	
Count 2:	18 VAC 50-22-260.B.8	
Count 3:	18 VAC 50-22-260.B.9	
Count 4:	18 VAC 50-22-260.B 27	
Count 5:	18 VAC 50-22-260 B 31	
	September 1, 2001	
Count 7:	18 VAC 50-22-260.B 28	

The motion was approved unanimously. Members voting “Yes” were:
Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Wood** to impose the following sanctions:

Count 1:	18 VAC 50-22-230.A	\$365.00
Count 2:	18 VAC 50-22-260.B 8	\$350.00
Count 3:	18 VAC 50-22-260.B.9	\$800.00
Count 4:	18 VAC 50-22-260.B 27	\$660.00
Count 5:	18 VAC 50-22-260.B 31	\$365.00
Count 7:	18 VAC 50-22-260.B 28	\$2,000.00
Total		\$4,540.00
Revocation of license 2705-080286 for violation of Count 3, 4 and 5. Paul Pryor will have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion was approved unanimously. Members voting “Yes” were:
Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04112, G W Builders, Inc. t/a Deck Professionals Stafford Co. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither G W Builders Inc t/a Deck Professionals Stafford Co. (Respondent)** nor anyone on its behalf appeared at the IFF

File Number
2006-04112
G W
Builders, Inc.
t/a Deck
Professionals
Stafford Co.

As the Board Representatives, **Mr. Smith** was not present and did not vote.

Mr. Kinser resuming this case. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **g W Builders Inc**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.31	
Count 2:	18 VAC 50-22-260.B.5	
Count 3:	18 VAC 50-22-260.B.15	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B 31	\$1,500.00
Count 2:	18 VAC 50-22-260.B 5	\$2,500.00
Count 3:	18 VAC 50-22-260 B 15	\$2,000.00
Total		\$6,000.00
In addition, for violation of Count 1, 2 and 3 the Board voted to require G W Builders Inc have a member of Responsible Management successfully complete a Board-approved remedial education class within 90 days of the order.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04798, Mark Crockett, t/a Crockett Builders (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Mark Crockett (Respondent)** nor anyone on its behalf appeared at the IFF. **Altadonna (Complainant)** did not attend the Board meeting.

File Number
2006-04798
Mark
Crockett t/a
Crockett
Builders

As the Board Representative, **Mr. Smith** was not present and did not vote.

After discussion, a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Mark D Crockett**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B. 15	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Tomlin, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Walton** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	18 VAC 50-22-260.B 15	\$1,200.00
Total		\$1,200.00
Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04815, Right Price Improvements, Inc (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Right Price Improvements, Inc (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting.

File Number
2006-04815
Right Price
Improve-
ments, Inc

As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Right Price Improvements, Inc**, violated the following sections of its Regulations:

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Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B.9	
Count 2:	18 VAC 50-22-260.B.31	
Count 3:	18 VAC 50-22-260.B 6	
Count 4:	18 VAC 50-22-260 B 15	
Count 5:	18 VAC 50-22-260 B 13	

The motion was approved majority vote. Members voting “Yes” were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 1:	18 VAC 50-22-260 B 9	\$500.00
Count 2:	18 VAC 50-22-260.B.23	\$500.00
Count 3:	18 VAC 50-22-260 B 6	\$1,500.00
Count 4:	18 VAC 50-22-260 B 15	\$1,500.00
Count 5:	18 VAC 50-22-260 B 13	\$1,500.00
Total		\$5,500.00
A member of Responsible Management must successfully complete a Board approved remedial education class with 90 days and for violation of count 1 and count 2.		

The motion was approved unanimously. Members voting “Yes” were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04982, Weeee Work Builders, LLC (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Weeee Work Builders, LLC (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **Johnnie Owens (Complainant)** attended the IFF and the Board meeting. He addressed the board.

File Number
2006-04982
Weeee Work
Builders,
LLC

As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board

found **Weeee Work Builders LLC**, violated the following sections of its Regulations:

Effective September 1, 2003		
Count 1:	18 VAC 50-22-260.B.8	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Modisett** to impose the following sanctions:

Count 1:	18 VAC 50-22-260 B 8	\$500.00
Total		\$500.00
Also Weeee Work Builders LLC must have a member of responsible management successfully complete a Board-approved remedial education class within 90 days.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-05233, John Mooney t/a Mooney Paving Company (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither John Mooney (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **Judy Stidham (Complainants)** did not attend the Board meeting or the IFF.

File Number
2006-05233
John Mooney
t/a Mooney
Paving
Company

As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with amended Recommendations. The Board voted to find a violation of count five, effective September 1, 2001, 18 VAC 50-22-260 B 13 with a fine of \$200.00 imposed. The Board found **John H Mooney**, violated the following sections of its Regulations:

Effective February 1, 2006		
Count 1:	18 VAC 50-22-260.B.8	
Count 2:	18 VAC 50-22-230.A	
Count 3:	18 VAC 50-22-260 B 9	
Count 5:	18 VAC 50-22-260 B 13	

The motion was approved unanimously. Members voting “Yes” were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to impose the following sanctions:

Count 1:		\$300.00
Count 2:		\$300.00
Count 3:		\$500.00
Count 5:		\$200.00
Total		\$1,300.00
As to 18 VAC 50-22-230 A (Count 2) and 18 VAC 50-22-260 B 9 (Count 3), and 18 VAC 50-22-260 B 13 (Count 5), the Board voted to impose monetary penalties for the violation of the regulations. The Board disagreed with the sanction recommendations, in that being out of business was not a legitimate reason to reduce or eliminate sanctions, and determined that sanctions, consistent with previous Board actions, was necessary. As to 18 VAC 50-22-260 B 30 (Count 4), the Board closes this aspect of the file with a finding of no violation.		

The motion was approved unanimously. Members voting “Yes” were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-05431, Sandra Wharton t/a Alpha & Omega Paving (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Sandra Wharton t/a Alpha & Omega Paving (Respondent)** nor anyone on its behalf appeared at the IFF. **J C Campbell (Complainant)** did not attend the IFF and Board

File Number
2006-05431
Sandra
Wharton t/a
Alpha &
Omega

meeting.

Paving

As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Sandra E Wharton**, violated the following sections of its Regulations:

Effective September 1, 2006		
Count 1:	18 VAC 50-22-260.B.9	
September 1,2001		
Count 2:	18 VAC 50-22-260.B.30	
Count 3:	18 VAC 50-22-260.B.13	
Count 4:	18 VAC 50-22-230.B	

The motion was approved unanimously. Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Ms. Redifer** to impose the following sanctions:

Count 1:		\$1,000.00
Count 2:		\$1,500.00
Count 3:		\$1,500.00
Count 4:		\$1,000.00
Total		\$5,000.00

Revocation of license 2705-090282 for violation of Counts 2 and 3. In addition, for violation of Count 1 and Count 4, the Board voted to require Sandra E Wharton have a member of Responsible Management successfully complete a Board-approved remedial education class with 90 days of the effective date of this order. Failure to comply with the terms will result in the automatic imposition of license suspension.

The motion was approved unanimously. Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-00401, Chesapeake Civil Constructors, Inc. (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Chesapeake Civil Constructors, Inc. (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting.

File Number
2006-00401
Chesapeake
Civil
Constructors,
Inc.

As the Board Representative, **Ms. Tomlin** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Chesapeake Civil Constructors, Inc.** violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	§54.1-1110 Cod of VA	
Count 2:	18 VAC 50-22-260.B.13	
Count 3:	18 VAC 50-22-230 B	
Count 4:	18 VAC 50-22-220 B	
Count 5:	18 VAC 50-22-220 C	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Redifer** and seconded by **Ms. Rackas Pate** to impose the following sanctions:

Count 2:		\$1,500.00
Count 3:		\$500.00
Count 4:		\$500.00
Count 5:		\$500.00
Total		\$3,000.00
Revocation of license 2705-088547 for violation of Count 1, 2 and 3.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2007-00289, advanced Chimney Solutions Inc (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Kenneth Simons on behalf of Advanced Chimney Solutions (Respondent)** nor anyone on its behalf appeared at the IFF.

File Number
2007-00289
Advanced
Chimney
Solutions

As the Board Representative, **Mr. Smith and Ms. Tomlin** were not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Walton** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Advanced Chimney Solutions Inc**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-260.B.22	
Count 2:	18 VAC 50-22-260.B.23	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Hart** to impose the following sanctions and to add language that of the consequences of not complying:

Count 2:		\$00.00
Total		\$00.00

The Board voted that Advanced Chimney Solutions, Inc.'s license be placed on Probation for a period of two years. As a term of this probation, Advanced Chimney Solutions, Inc. shall provide to the Board a biannual report from Kenneth Simmons probation officer, to confirm that Simmons is meeting the conditions of his probation, in connection with the criminal matter, and that he is in good standing. If Advanced Chimney Solutions, Inc. fails to comply with the terms of its Probation, then its license shall be automatically suspended.

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-01560, Odell Contracting Company, t/a Odell Contracting Company (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Odell Contracting Company (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting.

**File Number
2006-01560
Odell
Contracting
Company, t/a
Odell
Contracting
Company**

As the Board Representative, **Ms. Modisett** was not present and did not vote. After discussion, a motion was made by **Mr. Redifer** and seconded by **Mr. Kirby** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Odell Contracting Company**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B.18	
Count 2:	18 VAC 50-22-260.B.19	
Count 3:	18 VAC 50-22-220.A	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Ms. Rackas Pate** and seconded by **Mr. Smith** to impose the following sanctions:

Count 1:		\$600.00
Count 2:		\$700.00
Count 3:		\$400.00
Total		\$1,700.00
Also a member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days for violation of Counts 1, 2 and 3.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04673, James R Stiltner, t/a James R Stiltner (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither James R Stiltner (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting.

**File Number
2006-04673
James R
Stiltner, t/a
James R
Stiltner**

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **James R Stiltner**, violated the following sections of its Regulations:

Effective January 1, 2003		
Count 1:	18 VAC 50-22-260.B.22	
Count 2:	18 VAC 50-22-260.B.23	

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:		\$1,000.00
Total		\$1,000.00
As to 18 VAC 50-22-260 B 22 Count 1, the Board voted to impose no monetary penalty. Revocation of license 2705-028755 for the violation of Count 2.		

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2007-02074, D & L Enterprise Inc t/a Y W Rhee Design, (Respondent); the board reviewed the record,

which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither D & L Enterprise Inc t/a Y W Rhee Design & Build (Respondent)** nor anyone on its behalf appeared at the Board meeting.

As the Board Representative, **Ms. Wall** was not present and did not vote. After discussion, a motion was made by **Mr. Orange** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **D & L Enterprise Inc, did not** violate any of its Regulations:

The motion was approved unanimously. Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Disciplinary File Number 2006-04928, Jay Anthony Meyers, t/a Custom Sheds (Respondent); the board reviewed the record, which consisted of the disciplinary file, transcript and exhibits from the IFF, and the summary and recommendation. **Neither Jay Anthony Meyers (Respondent)** nor anyone on its behalf appeared at the IFF or the Board meeting. **David and Molly Baughman (Complainants)** participated by phone during the IFF. They did not attend the Board meeting.

File Number
2006-04928
Jay Anthony
Meyers, t/a
Custom
Sheds

As the Board Representatives, **Ms. Wall and Ms. Wood** were not present and did not vote. After discussion, a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to adopt the Report of Findings which contains the facts regarding the regulatory and or statutory issues in this matter, and adopt the Summary of the Informal Fact-Finding Conference with Recommendations. The Board found **Jay Anthony Meyers**, violated the following sections of its Regulations:

Effective September 1, 2001		
Count 1:	18 VAC 50-22-230.A	
Count 2:	18 VAC 50-22-260.B.8	
Count 3:	18 VAC 50-22-260 B.9	Eight violations
Count 4:	18 VAC 50-22-260 B 27	
Count 5:	18 VAC 50-22-260 B 17	
Count 6:	18 VAC 50-22-260 B 31	
Count 7:	18 VAC 50-22-260 B 14	
Count 8:	18 VAC 50-22-260 B 16	
Count 9:	18 VAC 50-22-260 B 13	

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Count 10	18 VAC 50-22-230 B	

The motion was approved unanimously. Members voting “Yes” were:
Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

After discussion a motion was made by **Mr. Kirby** and seconded by **Mr. Redifer** to impose the following sanctions:

Count 1:	18 VAC 50-22-230.A	\$365.00
Count 2:	18 VAC 50-22-260.B.8	\$350.00
Count 3:	18 VAC 50-22-260 B.9	\$4,000.@ 8X\$500 ea
Count 4:	18 VAC 50-22-260 B 27	\$660.00
Count 5:	18 VAC 50-22-260 B 17	\$1,500.00
Count 6:	18 VAC 50-22-260 B 31	\$365.00
Count 7:	18 VAC 50-22-260 B 14	\$1,860.00
Count 8:	18 VAC 50-22-260 B 16	\$1,900.00
Count 9:	18 VAC 50-22-260 B 13	\$1,350.00
Count 10	18 VAC 50-22-230 B	\$500.00
Total		\$12,850.00
A member of Responsible Management must successfully complete a Board-approved remedial education class within 90 days of the order. Revocation of license 2705-088557 for the violation of Count 2, 3, 4, 5, 6, 7, 8, 9 and 10.		

The motion was approved unanimously. Members voting “Yes” were:
Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-02190, Board v. Joseph William Sullivan, Jr, t/a A Better Handyman., the Board reviewed the Consent Order.

Joseph Sullivan, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$500.00
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File Number
2007-02190
Joseph
William
Sullivan Jr,
t/a A Better
Handyman

Total		\$500.00
The Board required a member of responsible management successfully complete a Board approved remedial education class within 90 days. Sullivan also agrees to pay \$150.00 in Board costs.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-01236, Board v. David Leland Stanley, t/a Durable Driveways, the Board reviewed the Consent Order.

**File Number
2007-01236
David Leland
Stanley t/a
Durable
Driveways**

David Leland Stanley., acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.8	\$350.00
Board Costs		\$150.00
Total		\$500.00
A member of responsible management must successfully complete a Board approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-03916, Board v. Manassas Masonry Construction Inc t/a Jackson River Contractors, the Board reviewed the Consent Order.

**File Number
2006-03916
Manassas
Masonry
Construction
Inc, ta/
Jackson
River
Contractors**

Manassas Masonry Construction Inc, t/a Jackson River Contractors, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.8	\$500.00
Board costs		\$150.00
Total		\$650.00

A member of responsible management must successfully complete a Board-approved remedial education class.

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-00582, Board v. Charlie J Small t/a Charlie’s Masonry & Construction, the Board reviewed the Consent Order.

**File Number
2007-00582
Charlie J
Small, t/a
Charlie’s
Masonry &
Construction**

Charlie J Small, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.15	\$750.00
Count 2:	18 VAC 50-22-260.B.31	\$350.00
Board costs		\$150.00
Total		\$1,250.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting “Yes” were: **Wood, Orange, Smith, Kinser, Walton, Tomlin, Rackas Pate, Modisett and Kirby.**

As to Board representative Mr. Redifer was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-03788, Board v. Virginia Garage Door Services Inc, t/a Virginia Garage Door Services Inc, the Board reviewed the Consent Order.

**File Number
2006-03788
Virginia
Garage Door
Services Inc,
t/a Virginia
Garage Door
Services Inc**

Virginia Garage Door Services Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board’s Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230.A	\$00.00
Count 2:	18 VAC 50-22-260.B.8	\$00.00

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Count 3:	18 VAC 50-22-260.B.9	\$00.00
Count 4:	18 VAC 50-22-260.B.28	\$00.00
Board costs		\$150.00
Total		\$00.00
Virginia Garage Door Services Inc agrees to satisfy the judgment and provide the Board with proof of the satisfaction within ninety days of the order. If they fail to comply with these conditions then license revocation will be automatic. Further, they agree to have a member of Responsible Management successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As the Board Representative Ms. Wall was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-03318, Board v. World Housing Corporation, t/a American Usa Homes, the Board reviewed the Consent Order.

World Housing Corporation, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

**File Number
2006-03318
World
Housing
Corporation,
t/a American
Usa Homes**

Count 1:	18 VAC 50-22-260.B.9	\$200.00
Count 2:	18 VAC 50-22-260.B.6	\$500.00
Count 3:	18 VAC 50-22-260.B.14	\$1,500.00
Count 4:	18 VAC 50-22-260.B 25	\$1,500.00
Board costs		\$150.00
Total		\$3,850.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett.**

As the Board Representatives Mr. Kinser and Mr. Kirby were not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-01632, Board v. Karl Mirapanah, t/a Karl Trust Electric, the Board reviewed the Consent Order.

**File Number
2007-01632
Karl
Mirpanah t/a
Karl Trust
Electric**

Karl Mirpanah, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230.A	\$00.00
Count 2:	18 VAC 50-22-260.B.9	\$150.00
Count 3:	18 VAC 50-22-260.B 31	\$250.00
Count 4:	18 VAC 50-22-260.B 27	\$200.00
Board costs		\$150.00
Total		\$750.00
A member of responsible management must successfully complete a Board-approved remedial education class within ninety days of the Order.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-00268, Board v. Thomas Paul Design & Construction, t/a Thomas Paul Design & Construction , the Board reviewed the Consent Order.

**File Number
2007-00268
Thomas Paul
Design &
Construction
t/a Thomas
Paul Design
&
Construction**

Thomas Paul Design & Construction acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.15	\$2,500.00
Count 2:	18 VAC 50-22-260.B. 31	\$2,500.00
Count 3:	18 VAC 50-22-260 B 16	\$2,500.00
Count 4:	18 VAC 50-22-230 B	\$1,500.00
Board costs		\$150.00
Total		\$9,150.00
License number 2705-92452 is revoked.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:

Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2005-04414, Board v. First Colonial Builders Inc, t/a First Colonial Builders Inc, the Board reviewed the Consent Order.

**File Number
2005-04414
First
Colonial
Builders Inc,
t/a First
Colonial
Builders Inc**

First Colonial Builders Inc, t/a First Colonial Builders Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.9	\$100.00
Count 2:	18 VAC 50-22-260.B.17	\$150.00
Board costs		\$150.00
Total		\$400.00
A member of Responsible Management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-05469, Board v. Paul Barton Well Pump Inc, the Board reviewed the Consent Order.

**File Number
2006-05469
Paul Barton
Well Pump
Inc**

Paul Barton Well Pump Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.8	\$350.00
Count 2:	18 VAC 50-22-260.B 27	\$350.00
Board costs		\$150.00
Total		\$850.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-00085, Board v. Blackwell Contracting Inc, the Board reviewed the Consent Order.

**File Number
2007-00085
Anders R
Brock t/a
Brock
Construction**

Blackwell Contracting Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-210.B.3	\$400.00
Count 2:	18 VAC 50-22-260 B 9	\$350.00
Board costs		\$150.00
Total		\$900.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:
Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-05120, Board v. Dave's Contracting & Home Improvement LLC, the Board reviewed the Consent Order.

**File Number
2006-05120
Dave's
Contracting
& Home
Improvement
LLC**

Dave's Contracting & Home Improvement LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.9	\$00.00
Count 2:	18 VAC 50-22-260.B 16	\$00.00
Count 3:	18 VAC 50-22-260.B 28	\$00.00
Count 4:	18 VAC 50-22-230.B	\$00.00
Board costs		\$150.00
Total		\$150.00
Dave's Contracting & Home Improvement LLC agrees to revocation of license number 2705-079141.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were:
Wood, Orange, Smith, Kinser, Walton, Tomlin, Rackas Pate, Modisett and Kirby.

As the Board Representative Mr. Redifer was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-00355, Board v. Dave's Contracting & Home Improvement LLC, the Board reviewed the Consent Order.

**File Number
2007-003558
Dave's
Contracting
& Home
Improvement
LLC**

Dave's Contracting & Home Improvement LLC, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.9	\$00.00
Count 2:	18 VAC 50-22-260.B 14	\$00.00
Count 3:	18 VAC 50-22-260.B 16	\$00.00
Count 4:	18 VAC 50-22-260.B 28	\$00.00
Board costs		\$150.00
Total		\$150.00
Dave's Contracting & Home Improvement LLC agrees to revocation of license number 2705-079141.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-00019, Board v. Gingerich Michael Construction Co Inc, the Board reviewed the Consent Order.

**File Number
2007-00019
Gingerich
Michael
Construc-ion
Co Inc**

Gingerich Michael Construction Co Inc, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-230.A	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Kirby, Cronin, Miller, Smith, Hart, Redifer, Orange, Walton, Tomlin and Rackas Pate.**

Kinser and Modisett were absent.

In the matter of Consent Order File Number 2007-01531, Board v. George Thomas Warren, t/a Clear Brook Deck And Fence Company the Board reviewed the Consent Order.

**File Number
2007-01531
George
Thomas
Warren, t/a
Clear Brook
Deck And
Fence
Company**

George Thomas Warren, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$350.00
Board costs		\$150.00
Total		\$500.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-04828, Board v. E J Mack Inc t/a E J Mack, the Board reviewed the Consent Order.

**File Number
2006-04828
E J Mack Inc
t/a E J Mack
Inc**

E J Mack Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.8	\$250.00
Board costs		\$150.00
Total		\$400.00
A member of responsible management must successfully complete a Board-approved remedial education class within 90 days of the order.		

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Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-04676, Board v. David M Thompson, t/a Thompson Builders. the Board reviewed the

**File Number
2006-04676**

Consent Order.

David M Thompson acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

**David M
Thompson
t/a
Thompson
Builders**

Count 1:	18 VAC 50-22-260.B.22	\$00.00
Count 2:	18 VAC 50-22-260.B 23	\$500.00
Board costs		\$150.00
Total		\$650.00
David M Thompson agrees to a suspension of his license until March 31, 2008, or until the monetary penalties and board costs are paid, whichever comes later. Further agrees to probation of his license until January 31, 2008. During this probation, David M Thompson agrees to: comply with the rules and regulations of the Board for Contractors; and Not to be convicted in any stat or city of any felony, misdemeanor, or federal, state or local ordinance. Any violation of these terms and the license may be revoked pending Board review.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As the Board Representative Mr. Kinser was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-04764, Board v. Gregg Hill, t/a Gregg's Home Improvement, the Board reviewed the Consent Order.

**File Number
2007-04764
Gregg Hill,
t/a Gregg's
Home
Improvement**

Greg Hill, t/a Gregg's Home Improvement, acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$250.00
Count 2:	18 VAC 50-22-260.B.31	\$200.00
Count 3:	18 VAC 50-22-260.B 6	\$550.00
Board costs		\$150.00
Total		\$1,150.00
A member of responsible management must successfully complete a Board-approved remedial education class.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-04667, Board v. Terry Clevinger, t/a Terry's Construction, the Board reviewed the Consent Order.

**File Number
2006-04667
Terry
Clevinger, t/a
Terry's
Construction**

Terry Clevinger acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.13	\$0.00
Count 2:	18 VAC 50-22-260.B 23	\$0.00
Count 3:	18 VAC 50-22-260.B 22	\$0.00
Total		\$00.00
Terry Clevinger agrees to have his license number 2705-016792 revoked.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As the Board Representative Mr. Kinser was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-01714, Board v. Atlantis Pool Sales Company LLC, the Board reviewed the Consent Order.

**File Number
2007-01714
Atlantis Pool
Sales
Company
LLC**

Atlantis Pool Sales Company LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$00.00
Count 2:	18 VAC 50-22-260.B.6	\$00.00
Count 3:	18 VAC 50-22-260.B 15	\$00.00
Count 4:	18 VAC 50-22-260.B 16	\$00.00
Count 5:	18 VAC 50-22-260.B 13	\$00.00

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Board costs		\$150.00
Total		\$150.00
Atlantis Pool Sales Company LLC agrees to have its license number 2705-103606 revoked.		

Upon a motion by **Mr. Smith** seconded by **Ms. Rackas Pate** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As Board Representative Ms. Wood was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2007-01658, Board v. Atlantic Home Services Inc, the Board reviewed the Consent Order.

**File Number
2007-01658
Atlantic
Home
Services Inc**

Atlantic Home Services Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

Count 1:	18 VAC 50-22-260.B.27	\$00.00
Count 2:	18 VAC 50-22-260.B.14	\$00.00
Count 3:	18 VAC 50-22-260.B 16	\$00.00
Count 4:	18 VAC 50-22-260.B 13	\$00.00
Count 5:	18 VAC 50-22-260.B 28	\$00.00
Board costs		\$150.00
Total		\$150.00
Atlantic Home Services Inc agrees to have its license number 2705-103606 revoked.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2006-05370, Board v. Atlantis Pool Sales Company LLC, the Board reviewed the Consent Order.

**File Number
2006-05370
Atlantis Pool
Sales
Company
LLC**

Atlantis Pool Sales Company LLC acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

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Count 1:	18 VAC 50-22-260.B.27	\$0.00
Count 2:	18 VAC 50-22-260.B.6	\$0.00
Count 3:	18 VAC 50-22-260.B 14	\$0.00
Count 4:	18 VAC 50-22-260.B 16	\$0.00
Count 5:	18 VAC 50-22-260.B 13	\$0.00
Board costs		\$150.00
Total		\$150.00
Atlantis Pool Sales Company LLC agrees to have its license number 2705-103606 revoked.		

Upon a motion by **Mr. Smith** seconded by **Ms. Rackas Pate** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As Board Representative Ms. Wood was not present and did not vote.

Hart, Miller and Cronin were absent.

In the matter of Consent Order File Number 2005-04700, Board v. Interface Building Systems Inc, t/a Interface Building Systems Inc, the Board reviewed the Consent Order.

Interface Building Systems Inc acknowledges an understanding of the charges and hereby admits to the violation(s) of the Board's Regulations and consents to the following term(s) by the Board:

**File Number
2005-04700
Interface
Building
Systems Inc,
t/a Interface
Building
Systems Inc**

Count 1:	18 VAC 50-22-260.B.27	\$00.00
Count 2:	18 VAC 50-22-260.B.9	\$00.00
Count 3:	18 VAC 50-22-260.B 29	\$00.00
Count 4:	18 VAC 50-22-260.B 31	\$00.00
Count 5:	18 VAC 50-22-260.B15	\$00.00
Count 6:	18 VAC 50-22-260.B 6	\$00.00
Board costs		\$150.00
Total		\$700.00
Interface Building Systems agrees to have License No. 2705-079405 revoked and agrees to voluntarily terminate its Class A license no. 2705-087208 by completing the Certificate of License Termination form and submitting it to the Board.		

Upon a motion by **Mr. Smith** seconded by **Ms. Wood** the board ratified the consent order with an unanimous vote: Members voting "Yes" were: **Wood, Orange, Smith, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

As the Board Representative Mr. Kinser was not present and did not vote.

Hart, Miller and Cronin were absent.

Eric Olson discussed the new revised 2007 Board meeting and Committee meeting schedule. All Board members shared they are in agreement with the revised schedule and thanked the staff for making the revisions. The Committee will be meeting the day before the Board meeting starting June 4, 2007 at 4:00 pm with the Board meeting being June 5, 2007. He also reminded the Board we will be moving in August 2007.

New Business

Mr. Redifer updated the Board on the Uniform Statewide Building Code and announced an expected completion revision date of March 2008.

**Statewide
Building
Code**

Their being no further business to come before the board, the meeting was adjourned at 11:45 A.M. upon a motion by Ms. Wood and seconded by Mr. Orange. The vote was unanimous. Members voting yes were: **Wood, Orange, Smith, Kinser, Walton, Redifer, Tomlin, Rackas Pate, Modisett and Kirby.**

**Adjourn-
ment**

Hart, Miller and Cronin were absent.

Mark D. Kinser, Chairman

Jay W. DeBoer, Secretary

Copy teste:

Custodian of the Record